THE LATTER-DAY SAINTS'

MILLENNIAL STAR.

"*O house of Jacob, come ye, and let us walk in the light of the Lord.*"—ISAIAH.

No. 42, Vol. XXXIII. Tuesday, October 17, 1871. Price One Penny.

A DAY IN COURT.

(*From the Deseret News, Sept.* 19, 1871.)

WE were standing in front of the *News* Office on Saturday afternoon when a man stepped up, and in a mumbling, indistinct voice, informed us that he summoned us as a Grand Juryman, and that we must appear, "under penalty of the law," at ten a.m., Monday, at the Third Judicial District Court-room. He gave us no written notice, as the law requires shall be done in summoning jurors; but knowing that we live in a Territory where the whim of Judges is called law, and having a desire to show our willingness—though being a editor we are exempted by law—to serve as a juryman, we repaired yesterday morning, at the hour named, to the room over the stable. The Judge had not made his appearance, but in a few minutes he took his seat, and the Marshal announced, in the usual form, that the Third Judicial District Court was open. We were struck with the altered appearance of the Chief-Justice since we last saw him. Upon his arrival in the Territory we met him, and though he did not at that time have a very healthy looking countenance, it was in marked contrast with his appearance yesterday. Had he been in any other position we would scarcely have recognized him. Sad work overriding the law, trampling upon the rights of the people, and lending oneself to be the tool of a "ring" for the sake of office! His Honor's decisions, rulings and charges have had a far worse effect upon himself, if we may judge by his appearance, than they have had upon those for whose injury they were intended. The latter have neither the recollections nor the forebodings to harass them which seem to oppress him and drive peace from his heart and life from his face. After the clerk had called the names of the persons summoned as Grand Jurymen, the Court informed them that, as there were several gentlemen out of town who had been summoned, they were

DISMISSED UNTIL 2 O'CLOCK.

Sometime after that hour the Court was opened, the names of the persons summoned were again called, and eighteen were present. The Marshal was sent out to summon others, and, after a short absence, returned, having picked up in the streets the number considered necessary. At this point Judge Hoge

CHALLENGED THE WHOLE ARRAY,

submitting his reasons for so doing in writing. Mr. Fitch, Major Hempstead, Mr. Miner, General Huggan, and we think Mr. Carter, and proba-

bly one or two other lawyers, did the same. Their reasons for thus challenging the whole array were urged upon the Court when the last Grand Jury was impannelled, but were overruled by the Court. They were to the effect that the said Jury were neither drawn by the proper officer nor according to the Territorial laws. The law states plainly that "when a District Court is to be held, whether for a District or for a County, the clerk of said Court shall, at least thirty days previous to the time of holding said Court, issue a writ to the Territorial Marshal," &c. "Upon the reception of said writ,

THE TERRITORIAL MARSHAL OR SHERIFF,

as the case may be, shall proceed to the office of the Clerk of the County Court of the County from which jurors are to be summoned, and the said Clerk shall, in the presence of the officer, thoroughly shake the tickets previously deposited in the box or other safe place of deposit, and draw therefrom promiscuously, the number of jurors required to be summoned from such County for Grand Jurors and for Petit Jurors, keeping separate lists, and those drawn for Grand Jurors shall be summoned for Grand Jurors, and those drawn for Petit Jurors shall be summoned for Petit Jurors, which lists shall be signed by the Clerk and officer having said writs, and filed in the office of said Clerk. The Court shall impannel out of the list summoned as Grand Jurors fifteen eligible men to serve as a Grand Jury," &c.

If this law passed by the Legislative Assembly is worth anything, the Grand Jury last summoned, or that summoned yesterday, is no more a legal body, possessing legal functions, than if

CALLED TOGETHER BY TOM NOAKES,

for not a requirement of the law has been complied with. Of course lawyers know this; but what can they do with such sciolists in law on the bench to rule law out, or rule it in, to suit a pre-arranged programme? They can only wait; in the meantime they wish these points saved for the purpose of taking appeals, in case their clients, now being held to bail or in custody, and awaiting indictment, shall be convicted. We have conversed with many sound jurists, and they have expressed but one opinion upon the action of the Courts upon these points—their rulings and decisions will be blown to the winds whenever brought before a competent and unprejudiced tribunal, or be preserved on record as a

MONUMENT OF THE FOLLY OF MEN

who, because appointed Judges, imagine the legislative and judicial functions are combined in their precious persons.

The lawyers' reasons for challenging having been filed with the Clerk of the Court, the Judge stated to persons summoned that it was doubtless inconvenient for them to leave their business to be there, and if any of them had any particular reasons to assign for being excused he would listen to them. This he repeated so often and with such emphasis, that he convinced us he was anxious

TO LURE THE "MORMONS"

summoned to ask to be excused. This would doubtless have suited the "ring." How convenient it would be for officers to say—"We summoned old citizens, but they asked to be excused." The Marshal had plainly violated the law in summoning an editor of a newspaper to serve on a jury; but after being summoned, if we did not serve we resolved it should not be our fault. Having finished this part of the business, the court requested the jurymen to stand up and swear that they would answer the questions which would be put to them by the Court. The first name on the list was then called by the Acting Prosecuting Attorney, and the following questions were propounded—

Pros. At.—"Are you a citizen of the United States?"

Prospective Juryman.—"Yes."

Pros. At.—"Are you a resident of this Territory?"

Pros. Juryman.—"Yes."

Pros. At.—"Are you a tax-payer?"

Pros. Juryman.—"Yes."

Pros. At.—"You'll do. Mr.——(calling the second name on the list) stand up."

The person addressed arose, and answered these same questions in the affirmative, and was told he would

also do. The third and fourth names were then called with similar results. These were soon got through with, and were only questioned for form's sake, and with a design not to appear too eager to reach the points which the Court was anxious to make. Skipping upwards of a dozen names, our name was then called and we were addressed, the attorney apparently reading the questions as he asked them, though he afterwards denied having written them. We find, however, that, notwithstanding his denial, the general impression among those present is that they were written, and that they had been prepared beforehand by the "ring."

Pros. At.—"Are you a citizen of the United States?"

Editor of DESERET EVENING NEWS.—"I am."

Pros. At.—"How long have you been a resident of this Territory?"

Editor.—"Twenty-four years, though I have not resided continuously in the Territory for that period."

Pros. At.—"Are you a member of the Church of Jesus Christ of Latter-day Saints?"

Editor.—"I am."

Pros. At.—"Is not polygamy one of the fundamental doctrines of that Church?

Editor.—"Plurality of wives is a doctrine of the Church."

Pros. At.—"Do you believe the revelation which teaches this doctrine to the Church to be from God and binding upon his people?"

Editor.—"I do."

Pros. At.—"Which do you believe ought to be obeyed, the revelation or the law?"

Editor.—"When a case arises in which they come in conflict, then I shall be able to decide."

Pros. At.—"Do you not think the revelation superior to law?"

Editor.—"My views upon this are known through my public utterances."

Pros. At.—"Do you believe that a man, in marrying more than one wife, commits adultery?"

Editor.—"I do not, if he marries them according to the revelation."

Pros. At.—"You do not believe this to be adultery?"

Editor.—"I do not."

When this last reply was made the attorney turned to the Judge and submitted that the Editor be excused from the jury, as it was the intention to try and indict a man for adultery who had more than one wife, and probably other cases of the kind, he

WOULD NOT SUIT THEIR PURPOSE

as a Juror. The Court at this juncture was particularly bland, his manner was almost affectionate as he asked the question—

Judge.—"Did I understand the gentleman to say that he did not believe it to be adultery for a man to have more than one wife at a time under the revelation referred to?"

Editor.—"Your honor understood me correctly."

At this the bland look and accent changed, and the judicial voice was resumed, mingled, however, with a deprecatory tone that reminded us of the report that the Judge had once been a preacher. He said that the Court had decided that a man who had been proved to have three wives had committed adultery under the laws of the Territory, and that decision was law until overruled, though the trial of the man was yet to be proceeded with. The gentleman not agreeing with this decision, he did not see how he could be a Juror. He then inquired if there were any more questions to be asked. No response being made, the Editor inquired—

"What am I to understand from your honor?"

Judge.—"That you are excused."

Gen. H. B. Clawson was next called, and the Attorney resumed the catechism. In reply to the question about adultery, his belief, Gen. C. said, was similar to that of his friend who had been questioned. James Townsend, Esq., was similarly interrogated, and made a similar reply, and they were both excused. The Prosecuting Attorney, apparently sure of his men who remained, made a lumping job of them; after asking them if they were citizens of the United States, he said—

"If there are any of you who believe that a man who has more than one wife does not commit adultery, stand up." They all sat still, though

ONE APOSTATE SQUIRMED,

or we fancied he did, the one who less

than two years ago adduced the argument before the High Council, when tried for his fellowship, that he was not an apostate, because he believed and testified that plurality of wives is divinely revealed and a doctrine of heaven, and if he were an apostate, he would not uphold that doctrine. His remaining doubts upon this point, if he had any, must have been removed yesterday. Such poor creatures have to eat a deal of dirt to gain the favor of men who, in their hearts, despise them. Again the

MARSHAL SALLIED FORTH

to pick up jurors. He soon returned, and the Attorney asked them—

"Are you citizens of the United States?"

"Yes."

"Are you members of the Mormon Church?"

"No."

"You'll do."

Webster's definitions of the verb to "pack" is "to put together as cards, in such a manner as to secure the game; to put together in sorts with a fraudulent design; hence, to unite persons iniquitously with a view to some private interest; as

TO PACK A JURY,

that is, to select persons for a jury who may favor a party," &c. We thought of this definition yesterday, while sitting in the room over the stable, and wondered what kind of a jury Bouvier or Webster would call that which was being selected.

A full panel was now, it was supposed, obtained, and the labor of selecting and catechising jurors, appeared to be finished, when 'Squire Miner arose, and cited a law of Congress which made it a cause of challenge if a man, summoned to sit as a juror, had been summoned as a juror or been in attendance at Court in that capacity within two years previously. The Judge wanted to hear the law from the book, so the Statutes at Large were sent for and the law was read. During the reading, it was amusing to see the various expressions which flitted across the Judge's face. It was evidently

A NEW LAW TO HIM.

Had it been a Territorial law he could have easily set it aside, or, in his legislative capacity, overruled it; but it suits his present purpose to profess regard for the laws of Congress, and he allowed Mr. Miner to proceed. A better exhibition of the character of the juries selected under the present system could not have been given. No less than

TEN OUT OF THE TWENTY-THREE JURORS

were peremptorily challenged, and declared incompetent, all having served on juries within two years, most of them within one, and several of them on the last Grand Jury! A more ridiculous and farcical proceeding could not have been witnessed in a

BURLESQUE ON THE STAGE,

than this Grand Jury business of yesterday afforded. Had the Judge, the Attorney, the Marshal and the other members of the "ring" had any shame they would have blushed; indeed, all their brazen effrontery could not enable them to conceal their chagrin. Out of a city of twenty-five thousand inhabitants, and a populous judicial district, a Grand Jury of twenty-three persons is selected, and it is found that scarcely a jury has been impanelled for the past two years in this city of which nearly one-half of the twenty-three have not been members! Can any language we can use illustrate the outrageous and shameful conduct and practices which have prevailed of late in the formation of juries in this Territory, so well as this simple statement? Is it any wonder that we have felt called upon to denounce the

ABUSES OF THE JURY SYSTEM

which exist here? After such an exposure we would like to hear the definition of the verb to "pack," from the Judges who have sat in this district. No wonder the Court wanted to adjourn, after the Grand Jury was thus burst up by law of Congress, untill this morning at ten o'clock.

A more humiliating spectacle than that witnessed yesterday has seldom been seen in these United States, or indeed in any country where trial by jury prevails.

The Judge yesterday enunciated a new legal doctrine, to wit.: that a man can commit adultery with his wife! He had decided, he said, upon it being proved that a man had three

wives, that under the law of the Territory he was guilty of adultery, and a man was not eligible to be a juror who did not have the same view! The law of the Territory of Utah is especially severe on adulterers, the crime of adultery being particularly obnoxious to the people. No act of the Chief Justice evinces

MORE PLAINLY HIS ANIMUS

and the vindictive character of his proceedings than his appeal to this law. It suits him, and is used by him because he thinks it will carry out the aim of the "ring." But why not respect other Territorial laws, the law concerning juries, for instance? Let that question be answered truthfully, and the explanation is obtained to all the tortuous proceedings of the "ring." Territorial law is excellent when it can be used against the people for their injury; but when its operation would inure to their benefit, who respects it? If it would give a man a jury of his peers, who would give him a fair trial,

THROW IT ASIDE.

It is not wanted for that purpose; but a practice is introduced that will not allow the accused to have one soul sit as a juror upon his case who has not already prejudged it and plainly avowed what his decision will be. If such a condition be not a reign of judicial terror, where shall we find one?

RELIGIOUS CENSORSHIP.

—o—

The scene in the Third District Court yesterday, on the attempt to impannel a grand jury, was one of the most pitiable it has been our fate to witness in any part of the globe. The supposition is that in a Territory the people are protected by the Constitution of the United States, and can enjoy republican institutions; but it is a very erroneous supposition so far as Utah is concerned under the present Federal officials. When we entered the court-room there were nineteen present of those summoned as grand jurors. Three of these, under the assumed fiction that the grand jury was a fairly drawn one, were "Mormons"—mark it; three out of nineteen, representing a portion of the population numbering more than nineteen to three! When their qualifications for capacity to legally act as jurors were being inquired into, after one or two had answered the usual questions, the acting law officer of the court jumped a number of names and proceeded to catechize Hon. Geo. Q. Cannon. The farce of summoning three "Mormons" on the jury had been played; the serio-comedy of getting rid of them had to be proceeded with.

We believe our contemporaries at a distance and the American public, will pause in doubt whether there could be found in the United States any man holding official position under government, who could be guilty of attempting such a religious censorship as this law officer was guilty of yesterday. His first question was—"Are you a member of the Church of Jesus Christ of Latter-day Saints?" which was answered in the affirmative; yet we think had the same question been asked of us, we would have told him we were an American citizen, and it was not the business of any lawyer, or of any officer, on the free soil of America and beneath the Constitution protected by the stars and stripes, to inquire into our religious status; a position assigned by republicanism to the Creator alone, which these officials can apparently neither comprehend nor appreciate. But there is no doubt a refusal to answer would have had precisely the same effect that an affirmative answer had. The "Mormons" were to be got rid of.

This question was followed by others as to whether Mr. Cannon *believed* in the revelation on polygamy, and whether he *believed* that a person could practice polygamy without committing adultery, to which he returned brief and courteous answers. He was excused from serving on the grand jury. General Clawson and Mr. Townsend were also excused because, in general terms, they agreed with Mr. Cannon.

The serio-comedy was played, the "Mormons" were weeded from the list of jurors; their being summoned was a farce to give the appearance of not packing a jury.

But this religious censorship goes further. It attempts to rob all the members of the Church of Latter-day Saints of every civil and political right. Every such member believes in the revelation on plural marriage, whether he practices it or not; whether he ever has practiced or ever intends to practice it. This exclusion of these gentlemen from the jury is an announcement that no "Mormon" can have a fair and impartial trial before the courts; that "Mormons" will not be permitted to sit on juries; that they have no rights—civil, political or religious—that will be respected by such crazy fanatics; and this—all this—*not* because they may have broken any law, but because they *believe* something these would-be patterners after a Nero on a small scale do not believe.

When witches were burned in Massachusets, when Quakers were persecuted all through New England, when it was death for a priest to return to Connecticut after he had been banished, when Methodists were hooted and pelted wherever they appeared, this might have passed for a sample of American principles under colonial rule; but when great hearts burst the swaddling bands that held the infant nation, and proclaimed to the world the undying principles of liberty and freedom, such contracted, bigotted and anti-republican positions were supposed to have been forever banished from a free people. It is reserved for the Federal officials of Utah to establish, for the first time since the Declaration of Independence, a religious censorship in the United States, which robs every man of his religious and political rights who will not square his faith and mould his conscience to agree with their views.—*Salt Lake Herald, Sept.* 19.

WHAT DO YOU THINK OF POLYGAMY?

—o—

A stranger visiting here is allowed from three to thirteen minutes to make up his mind all about polygamy, and then some Gentile—

"What do you think of polygamy?"

I had but just scraped the dust accumulated between San Francisco and this place, when there mounted me a Gentile doctor, and propounded the usual conundrum—

"Well, what do you think of polygamy?"

"Don't know anything about it. Have only been here fifteen minutes."

"It's horrible, it is."

"No, really now, is it?"

"Yes, indeed. Haven't you heard of any cases of incest?"

"What kind?"

"Men marrying their own nieces, for instance."

"Yes, I do know of one"—The doctor's face brightened—"it was that of a man who married his own niece."

"Do you know the name and the circumstances?" said the doctor, who is getting out a book, and has an eye to statistics.

"I don't know his name, but I know where he lives."

"Where is it?"

"Well, this gentleman is a member in excellent standing in the church, in which his matrimonial relations are well known, and he and his wife occupy a respectable social position. He lives in the west side of a place known as Chicago.

"Hem, yes," said the doctor, when he recovered his equilibrium, and went on—"Polygamy is a horrible thing. Nature itself protests. I have been keeping statistics, and I find that 75 per cent. of the children born of polygamous marriages are boys."

"Well, now, that *is* singular. In other places it is considered creditable to grow boys, but here the thing seems to be regarded as a punishment."

"Just so. Then, of all the children born of these parents, there is not

one in a hundred that is not tow-headed."

"Now that I think of it, it seems to me that I have noticed something of the sort among children everywhere."

"But that is not all," persisted Medicus; "the worst remains to be told." He whispered, "Why sir, not more than one-half of these women have any more in the nature of mammary glands than I have myself."

"Can it be possible? But from what I have seen myself—I mean, from what I've heard from those who have seen—I am certain that the same remarkable peculiarity is not wholly unknown in Chicago, for instance."

FAILED TO AGREE.

As I have only been here three days, and as I am going to leave in the morning, I may as well say that I have no opinion of polygamy formed upon observation of the institution. I have been in no saint's family, and don't know whether he is happy or whether he isn't. No saintess has poured out her griefs in my ear; and I have seen no pretty Mormoness with disheveled hair flying about the streets for protection.

I know that the women here can vote, and could rid themselves of the system if they choose to. I know that there are hundreds of Gentile houses here that would afford any woman protection if she wished it, and yet none seek it. I see the white tents and open mouthed cannon of the Federal soldiers on the rise of the plain to the east of the city, and I know that any Mormon wife, or a thousand Mormon wives, could fly there, and be secure if they desired—but none of them fly in that direction. Twice a day a train of cars leaves for Ogden, and connects with other trains running east and west. Upon these semi-daily trains could the injured, degraded, down-trodden Mormon wives leave in droves, if they wished to escape their bondage. They could go, and there are Gentiles enough to protect them in their leaving; but they do not go.

During my peregrinations around the city, not a single beautiful young Mormon, in agony, tears, and with flying locks, has rushed out, thrown herself hysterically in my arms, and shrieked, "Save, oh save me from my wretched fate!"

In view of this state of things, I am compelled again to reiterate that I know nothing whatever of the practical workings of polygamy, gathered from personal observation. There are men who have been here six or seven hours longer than I, who know all about it. To them I respectfully refer the readers of the *Times* for information.—*Salt Lake Correspondent of the Chicago Times.*

The Prescott (Arizona) *Miner* says that Mr. McKinnie, who has for some time been exploring the tract of land on which he lives, in the valley of Salt River, Arizona, discovered an extensive mound, into which he made excavations at two points. At both points, after removing the earth to the depth of two feet, he found apartments from nine to eleven feet square, regularly built, with the cement still clinging to the walls. In three rooms were found various agricultural implements, utensils, and weapons, all made of stone, ornaments of colored stone, and the bones and teeth of animals.

WHICH?—Four or five years ago, a gentleman summoned as a grand juryman before Hon. Chief Justice Titus, in this city, requested to be excused. The Chief Justice inquired on what ground, and was answered on that of being a polygamist, whereupon his honor, in his own peculiar way, struck the desk with is fist and exclaimed, "Sit down—that does not disqualify you for being a grand juryman." Which must be considered the proper legal authority—Titus or McKean? If Judge Titus, notwithstanding his anti-"Mormon" prejudices, was not as sound a lawyer, as honest a man, and as upright a judge as McKean, notwithstanding his quondam Methodist parsonical proclivities, we should very much like to know it, and we would take infinite pleasure in publishing that fact, though it would give us a world of trouble to induce the public to believe it was a fact. They would think we were only getting sarcastic.—*Deseret News.*

THE LATTER-DAY SAINTS' MILLENNIAL STAR.

TUESDAY, OCTOBER 17, 1871.

BE NOT DISCOURAGED.

—o—

With the husbandman it is not always harvest time. But because he is not always gathering his crops, the farmer is not discouraged nor does he cease his labors. There is a time to sow and a season to reap, and occasionally the land must lay fallow. So also in the kingdom of God. Paul may plant, Apollos may water, but God gives the increase; and there are periods in the history of the Church in different lands when it is not harvest time. But should the laborer in the vineyard be discouraged, or the toiler in the field cease his labors? If the gleaning be small there are labors abundant; the land must be cleansed, the weeds uprooted and gathered for the burning, and the crops garnered.

It is natural for men to desire to see the fruits of their labors, and to know that their efforts have been blessed with success. The laborer in Zion who labors for Zion, desires to see the result of his toiling in the salvation of the sons of men. But ofttimes the hearts of the people are so full of vanity and deceitfulness, that the principles of the Gospel can find no abiding place therein; still a perishing world has to be warned of the coming destruction, and the wicked must have proclaimed to them the end of those who repent not. This is a day of warning, and the warnings of the servants of the Lord will be followed by the judgments of their Divine Master.

Whilst the Lord calls us to labor we dare not think the work is done, nor should we feel discouraged because the harvest is not greater. Be we called to plant, to weed, to water, or to gather, let us labor with our might. He who knows the hearts of all men will reward each one according to his diligence and integrity. If we, trusting in the Lord, do our duty, we are free, we shall be blessed. The results are not ours, they are with God. G. R.

At New York.—The S. S. *Manhattan*, upon which President Albert Carrington sailed from Liverpool, arrived safe at New York, Saturday, October 14.

Release.—Elder W. C. Anderson is released to return home with the company of Saints that will leave Liverpool Wednesday, October 18.

VISIT OF PRESIDENT YOUNG TO GRANTSVILLE.

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An appointment having been made some weeks ago for two days' meetings at Grantsville, Tooele County, to be held on last Saturday and Sunday, a company of Elders, consisting of Presidents B. Young, G. A. Smith and

D. H. Wells, and Elders W. Woodruff, G. Q. Cannon, Joseph F. Smith, John W. Young and several others left this city on Friday, the 22nd inst., to attend these meetings. The day was unusually cool, and the wind blew in a direction to carry the dust away from the carriages, so the journey was a very pleasant one. At the Lake House the company received a welcome reception from Dr. Clinton and family. After dinner the journey was resumed, and accompanied by a number of the prominent citizens of Tooele County, the Woollen Factory was visited while *en route* to Grantsville, and the latter place was reached about five o'clock. The children and many of the citizens stood in line on the sidewalk, with their banners bearing appropriate mottoes flying, to extend their welcome to the President and his company. The improvements which have been made in the Grantsville meeting-house make the building one of the finest finished in the Territory; its appearance and surroundings called forth the encomiums of all the visitors, and with other evidences of thrift and enterprise which we saw, speak highly for the authorities and people of that place. On Saturday morning the speakers were President D. H. Wells, Elder Geo. Q. Cannon, and President Geo. A. Smith; in the afternoon Elders H. J. Faust, John W. Young and President B. Young addressed the people. In the evening Elder Jos. F. Smith occupied the time. Sunday morning the assembly listened to President D. H. Wells and Elder Geo. Q. Cannon; and in the afternoon to President Geo. A. Smith, Elder W. Woodruff and President B. Young. A good flow of the Spirit was enjoyed by the speakers, and the meetings were interesting. To avoid the heat, and to have a more pleasant journey, the company returned to the city by moonlight last evening, the members bringing with them pleasant memories of their visit and of the delightful hospitality of the people of Grantsville.—*Deseret News, Sept.* 25.

THE SITUATION IN UTAH.

(*From the Salt Lake Herald.*)

Messrs. Editors—During my short stay in your midst, my eyes have been gradually opened to the fact that there exists, between your Federal and Territorial officials, and those who stand behind them, a most lamentable and widespread antagonism. I need not pause here to speak of the magnitude of this evil. That it exists, and grows with frightful rapidity, no sane man will deny; and every thoughtful man, who looks narrowly into the future, and traces the course of things to their legitimate results, will be quick to perceive that it is an evil which, if not checked by some suitable and sufficient remedy, must ultimately lead to inevitable and measureless calamity.

What is the *cause* of this menacing evil? This is a grave question. It lays the axe at the root of the tree. If we are able to grapple with it, successfully, it will be easy to point out the means of averting all possible disasters likely to arise, from this source, in the future. But we must know the cause, before we can prescribe the remedy.

I intend on my part to be candid, and I ask from the reader of this letter a candid hearing. Listen, I beseech you, to a friendly word, uttered by no unfriendly voice, and prompted by no improper motive. Throw yourselves loose from all narrow and bigoted prejudices; divest yourselves of "all uncharitableness;" hold the balance between the Federal and Territorial authorities fairly, steadily, and with a firm hand; and as the scale inclines, to the one side or the other, so let your position be taken. Wherever the responsibility falls, there let it rest.

It is not my purpose to go into a general history of the manner in which the people of Utah have been governed in the past. That branch of the subject, it is true, is closely connected with the question now under review, and has an important bearing

on it; but my limits forbid its discussion. I shall simply take up the case as I find it, and point out what strikes me as the existing cause of the evil in question.

The whole difficulty, in my judgment, lies in this—That the people of Utah are, at this moment, practically deprived of the great body of their constitutional rights as American citizens. This may seem, at first blush, a somewhat startling proposition. It is nevertheless true, as we shall proceed to show.

The people of Utah do not enjoy religious liberty as guaranteed by the Federal Constitution. The framers of our political system—inheriting the stern virtues of their ancestors, who had fled from their homes, and braved the perils of the sea and the hardships and privations of a barren coast, to escape from the thraldom of religious tyranny—were careful to embody in the Constitution the absolute freedom of religion. But lest there should still remain some doubt on this vital point, the States, when they came to adopt the Constitution, submitted the following amendment, namely—"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Observe the scope and force of these words. No language could well be more explicit. It covers, with the protecting aegis of Supreme Law, ALL religions of whatever name.

The great generation of men, who embodied the foregoing in the Constitution, meant precisely what they said. They were not political triflers. They were earnest men, and they intended that every living man who was then, or might thereafter become an American citizen — be he Protestant, or Catholic, or Mormon, or what not—should have, and practice, unqualified religious liberty. When they put forth this provision, it was not with a mental reservation standing behind the Constitution, ready to strike it down whenever the protection afforded happened by any chance to apply to a Mormon.

Do the people of Utah—I mean of course the Mormons, for they are the people—do they enjoy the religious freedom guaranteed by the Federal Constitution? The question is a taunt—a mockery! I make no mention of the religious intolerance which drove the Mormons from State to State, and hunted them a thousand miles beyond the border of civilization, across what was then the Great American Desert, into this valley, inhabited alone at that time by wild beasts, or still wilder men. I leave all that out of view, and point your attention to evidence which has fallen under your own observation within the last few days.

No longer ago than last Monday, three prominent citizens of this city, after being summoned to act as Grand Jurors, were rejected solely and confessedly because of their religious opinions.

Of course every respectable lawyer knows that the District Attorney had no right to question the gentlemen above referred to touching their religious belief—much less had the Judge a right to make such belief a ground of accepting or rejecting them. It is equally clear that a Grand Jury thus constituted is not a legal tribunal, and has none of the functions pertaining thereto. Briefly, the whole procedure, from beginning to end, was a shameless judicial farce; but I am not now discussing the merits of the case, I am simply dealing with the *fact*, which fact fully establishes the proposition laid down above—namely, That the people of Utah do not enjoy religious liberty as guaranteed by the Federal Constitution.

How is it in other matters? Nine-tenths of the people of this Territory are Mormons. Nine tenths of the taxes assessed and collected by the Federal government are paid by Mormons. And yet, although they have scores of men amongst them who hold an elevated rank in all the manlier provinces of mind, not one of them today fills a Federal office anywhere in the Territory—unless it be some humble position which no one else can be induced to accept.

But I need not go into detail in reference to these petty grievances, while the great fact stands out, in bold relief, that here in Utah there is no such thing as "Self-government by the people." No man with brains, or without brains, who simply looks

around him, can fail to perceive the truth of this statement.

When I speak of self-government, I use the expression in its enlarged sense. The government of the United States is made up of two co-ordinate branches — the one *General* and the other *Local*. The Federal government wields the general powers, which are few in number and specific in character. All other powers are by express provision of the Constitution, "reserved to the States, *or the people*." If you would know what powers rightfully belong to the people of Utah, it is easy to ascertain them. The only thing to be done is to look into the Constitution and see what powers have been delegated to Congress; all that remain belong of course to the people of the Territory. Are they permitted to wield them? The question needs no response. There is not an intelligent man in Utah who does not know that here the General government has well nigh swallowed up the Local government. The Constitution is construed *liberally;* and day by day the Federal arm grows longer and stronger, and the Territorial arm shorter and weaker. In this way the Territorial establishment has been shorn of its strength. To-day it is but the shadow of its former self, and it "dies daily." A deep-seated ulcer is gradually eating out its heart. A gangrene is on its limbs, and is climbing with dark mortal omen to the seat of life. Is it any wonder that the Territorial authorities—who are the chosen guardians of the rights of the people—have been brought at length, under the stress of these facts, into direct and open antagonism with the Federal authorities? The wonder is, rather, that no more serious doubts have arisen.

Here, then, is the *cause*, fully and fairly laid open, of the hostile attitude of the Federal and Territorial authorities in Utah. I come now to consider the *remedy*. Under this head, one sentence will accomplish my task. Let the Federal government restore to the people of this Territory, all and singular, their constitutional rights as American citizens, and give them their full share of the offices created for their protection and paid for with their money, and the cure is effected. Let the government, in a word, be properly administered. Then the people of this Territory will come to look upon it as *their* government. They will recognize in it the watchful guardian of all their interests—those that are *local* and peculiar to themselves, no less than those that are *general* and common to all. Let this be done, and the loyalty of Utah to the Federal government will rival that of any of the States or Territories. If the sun attract, the planets will not wander from their orbits.

I am not a Mormon—am not a citizen of Utah—and have no private interest to subserve by writing this letter. What has been written comes from a head and heart full of admiration and love for my government—viewed as a political system. The errors pointed out are all errors of administration, which ought to be corrected. If they are not corrected, the future history of this Territory will form a dark page in our national annals. * * * * *

C.

Salt Lake City, Sept. 20, 1871.

"THAT WHICH A MAN SOWS, THAT ALSO SHALL HE REAP."

There is a question we all may ask ourselves with profit, have we sown such seed, and such only, as will reward our labors with joy and happiness; or have we sown seeds which will bring to ourselves and others a crop of misery and despair? Should we have done the latter, we had better desist at once and commence to sow seed, and most plentifully too, that will fructify to our future and everlasting good. When we say a future good, we do not wish it to be thought to mean that no immediate good can result whilst we dwell in this probationary existence, because we hold the

contrary opinion, and believe that he that doeth good is blessed continually, and he that sinneth hath evil ever present with him; we lay hold also of the promises of Heaven to be realized by us in the world to come.

To do good is healthful, to love God is man's supremest joy, to own his never-failing kindness and skill is our constant duty, and to do good to others is the most blessed way of showing our gratitude for the life we now possess. In doing good to others we not only sow the seeds of charity and love, but often, also, of other virtues in the hearts of our fellow-men, whilst to ourselves our reward is with us, and if in these days of evil we find no comfort from the outside world, we have it ever with us in our own bosoms, and the assurance that if the seed we sow is good, after that manner of fruit shall we garner, and our joy will be complete.

J. Batt.

FIRES IN THE WASATCH MOUNTAINS.

During the past thirty-six hours the greatest excitement has prevailed in Silver Springs city and the upper part of Big Cottonwood cañon, on account of the fearful fire which has been raging among the timber. It seems that some "loggers," in order to destroy a "yellow jackets'" nest, set fire to some brush, and with the grossest negligence forgot to extinguish the flames after their purpose was accomplished. The consequence was that the woods took fire during the night, and spread all over the mountain's side, placing Silver Springs in imminent danger. For hours the citizens fought the flames and with the greatest exertions succeeded in driving back the fire. In the meantime it was discovered that the woods in the rear of the Hawkeye smelting company's works were also on fire. With the most commendable promptness all hands united in felling the timber in the immediate vicinity of the works, and by building a "back-fire" managed to save this valuable property. It is said that this second fire was the work of an incendiary—some evil-disposed person who had a grudge against the above named company. Mill F, owned by mayor Wells, came very near succumbing to the flames. A number of times the immence pile of lumber was on fire, but with aid from Silver Springs it was kept under. Mill E a one time was also in great danger, and William Howard, Esq., unfortunately lost some seven thousand bushels of charcoal. The damage to the timber cannot be estimated; most of townships 21, 22 and 23 are swept by the flames, and the fire is still fiercely burning; over 5,000 acres of the best wooded lands have been destroyed.—*Correspondent of Salt Lake Herald Sept.* 27.

UTAH NEWS.

The following are from the *Deseret News* to Sept. 27—

The foundry recently started at Logan by Messrs. Croft & Affleck, continues to operate successfully.

The wife of Elder Solomon Rosseter had been accidentally drowned in the 20th Ward Ditch. Mrs. R. was subject to fits, and it was supposed one of these had suddenly overtaken her.

A brief note from Bro. H. H. Cluff, dated Laie, Sandwich Islands, Aug. 28th, said, "We are all in the enjoyment of good health. The missionaries sent to the several islands report, by letter, considerable success."

At Moroni the grain crops were better than ever before, the average amount of wheat per acre being thirty to forty bushels. The hay crop was also good.

No grasshoppers' eggs had been deposited in that country this year. There was a good deal of sickness among children.

Dr. Park, President of the University of Deseret, and Professor Bellerieve left Sept. 26 on missions to Europe. Before crossing the Atlantic they intended to visit the schools and colleges in the United States. They would then proceed to Germany and Switzerland, and would visit all the best educational institutions of those countries.

Bishop W. B. Preston was progressing nicely, considering the severe nature of the accident. Besides the shot extracted from the wound, about thirty pieces of bone, some of them full an inch long, had been also taken from it, the bone, from about half an inch below the shoulder joint downwards for some distance, being literally blown to pieces.

The Sunday schools of Nephi and Fountain Green conjointly held a grand picnic Sept. 18, at the forks of Salt Creek Cañon. It took about a hundred teams and wagons to carry the pleasure seekers to the appointed spot, besides there being a large number on horseback. The Nephi choirs and quadrille band were in attendance. The time was spent in singing, playing, music, dancing and other recreations.

The following is the panel of the grand jury of the Third District Court, Territory of Utah, Chief Justice McKean presiding. Chauncy C. Nichols, J. T. Miller, E. L. T. Harrison, J. P. Page, J. Matthews, F. Hurlburt, S. Howe, C. Newboldt, C. L. Haynes, H. White, E. Preble, J. M. Day, W. S. Woodhull, W. M. Johns, A. F. Tilden, J. W. Moorhouse, J. Engler, J. B. Meader, Ezra C. Chase, J. M. Wallace, J. W. Hamilton and C. Reed. Mr. S. Howe was appointed Foreman.

A telegram from Fillmore, Sept. 23, stated, "On Thursday, 10 a.m., a little boy, son of brother Duels, of Corn Creek, two and a half years old, attempted to follow a man with a team and was lost. The little fellow was not found until yesterday afternoon, about four o'clock. He was in a famishing condition. Men from Corn Creek, Meadow Creek and Fillmore were out in force seeking him. When found he was some five miles south of this city, lying in the sage brush. He had traveled about sixteen miles. A later despatch says the poor little fellow died within an hour after he was found.

The following are from the *Salt Lake Herald* to Sept. 28—

Rumors were rife of claim jumping and consequent fighting at the Tintic mines.

The difficulty with the Navajoes at the Kanab had been amicably settled, and the excitement was at an end.

The teachers of the 14th Ward Sunday school had a pleasant party, on the evening of the 22nd, in the Ward Assembly-rooms.

The foundations of a Roman Catholic church, dedicated to St. Mary Magdalene, had been laid in Salt Lake City.

There was a fire at Corinne on the night of Sunday, Sept. 24. Loss, $4,000. A Chinawoman was burned to death. Two men had been arrested charged with arson.

On the 21st there was a sale of government ordnance at Camp Douglas. General H. B. Clawson purchased at the sale and from other buyers a thousand stand of arms and a hundred and fifty thousand rounds of fixed ammunition.

A man named James Hendry was shot at Hooperville on the night of Sept. 22 for seduction. He was, at last accounts, still alive, but the chances of his recovery were very doubtful. The shooting was done by James Hale and son, father and brother of the woman, who were under arrest here.

A company of uniformed and mounted militia was being organized at Salt

Lake City. From the names of the officers we should imagine it was composed almost exclusively of U.S. Deputy Marshals. What of the late Gov. Shaffer's proclamation, or will these have the present Governor's sanction to drill, parade, &c.? If so, how about invidious distinctions as between citizens?

John W. Young, Esq., President of the Utah Northern Railroad, stated that work was being pushed on the grade with energy, the citizens of the northern counties manifesting the liveliest interest in the enterprise. So far as the line had been located there were several tolerably heavy fills in the first ten miles, cuts being avoided as much as possible looking to winter snows.

During the forenoon of Sunday, Sept. 24, a fire broke out in the shed attached to the new barn of L. J. Nuttall, in which his family was living during the erection of his frame house. The whole of Mr. Nuttall's household effects, furniture, clothing, &c., was entirely destroyed, together with his hay and grain stacks. On the report of the fire at the meeting house, the congregation arose *en masse* and hurried to the scene of the disaster. Every assistance was given that could be rendered under the circumstances. The fire spread so rapidly that Mrs. Nuttall had barely time to get the children out safely. One calf was literally roasted alive. A subscription was being raised to assist Mr. Nuttall in his pecuniary loss.

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A rich mine of tin had been discovered near Ogden.

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POETRY.

FATHER IS COMING.

(Selected.)

The clock is on the stroke of six,
  The father's work is done;
Sweep up the hearth and mend the fire,
  And put the kettle on;
The wild night wind is blowing cold,
'Tis dreary crossing o'er the wold.

He's crossing o'er the wold apace,
  He's stronger than the storm;
He does not feel the cold, not he,
  His heart it is so warm:
For father's heart is stout and true
As ever human bosom knew.

He makes all toil, all hardships light:
  Would all men were the same!
So ready to be pleased, so kind,
  So very slow to blame!
Folks need not be unkind, austere;
For love hath readier will than fear.

Nay, do not close the shutters, child;
  For far along the lane
The little window looks, and he
  Can see it shining plain.
I've heard him say he loves to mark
The cheerful firelight through the dark.

And we'll do all that father likes;
  His wishes are so few;
Would they were more, that every hour
  Some wish of his I knew!
I'm sure it makes a happy day
When I can please him any way.

I knew he's coming by this sign
  The baby's almost wild;
See how he laughs, and crows, and stares—
  Heaven bless the marry child!
He's father's self in face and limb,
And father's heart is strong in him.

Hark! hark! I hear his footsteps now;
  He's through the garden gate.
Run, little Bess, and ope the door,
  And do not let him wait.
Shout, baby, shout! and clap thy hands,
For father on the threshold stands.

LIST OF DEBTS DUE FOR BOOKS, STARS, &c., BY THE SEVERAL CONFERENCES FOR THE QUARTER ENDING SEPT. 30, 1871.

(THIS ACCOUNT IS MADE UP TO STAR NO. 39 INCLUSIVE, VOL. 33.)

CONFERENCE.	AGENT.	AMOUNT. £	s.	d.
Birmingham	B. W. Driggs	1	6	4
Bedfordshire	George W. Wilkins	3	11	3
Bristol	*E. A. Box	10	2	11
Durham	*J. A. Leishman	6	13	11
Monmouthshire	—— ——	5	11	6
North Wales	Thos. P. Green	6	5	0
New York	*H. G. Bywater	3	7	2
	Total	36	18	1

* The debts of these Conferences were contracted previous to the appointment of the present agents.

CREDITS.

CONFERENCE.	AGENT.	AMOUNT. £	s.	d.
Carmarthen	Henry Williams	0	0	4½
Glasgow	John Pyper	1	12	2
Glamorgan	David John	0	6	5
London	David Brinton	8	19	8½
Liverpool	Thos. Dobson	0	3	7
Leeds	O. G. Snow	0	7	1
Manchester	George P. Ward	0	0	0
Nottingham	Geo. H. Peterson	0	0	0½
Pembrokeshire	Wm. White	0	4	5½
Sheffield	Thos. Wooley	0	12	5
	Total	12	6	3

DIED.

HEMSLEY.—In Sugar House Ward, Sept. 9, Eliza Margaret, daughter of Edward and Margaret Hemsley, aged 1 year, 3 months and 28 days.—"Deseret News."

HOWARTH.—At Moroni, Sanpete County, Sept. 13, Sarah Howarth, aged 61 years and 1 month. Deceased embraced the Gospel in 1849, at Duckinfield, England. She emigrated to this Territory in 1856, crossing the plains in Edward Martin's hand-cart company.

MARTIN.—At Moroni, Sanpete County, Sept. 16, Abigail, daughter of Samuel and Mary Martin, aged 1 year, 8 months and 4 days.

MEREDETH.—In this city, Sept. 16, of erysipelas, Sarah Meredyth, lately of London, aged 68 years.—"Deseret News."

MITCHELL.—At Brighton, Sept. 26, after many years suffering, Lettey Mitchell, aged 51 years.

MORRIS.—In this city, of inflammation of the lungs, John Morris. Born January 8, 1794, Llanfair, Talhairn, Denbighshire, North Wales.—"Salt Lake Herald."

OLDFIELD.—At Brigham City, Sept. 9, of bowel complaint, George, son of Alfred and Elizabeth Oldfield, aged 1 year, 6 months and 19 days.—"Deseret News."

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LIVERPOOL:

EDITED, PRINTED AND PUBLISHED BY ALBERT CARRINGTON, 42, ISLINGTON.

LONDON:

FOR SALE AT THE LATTER-DAY SAINTS' BOOK DEPOT, 20, BISHOP'S GROVE, ISLINGTON.

AND BY ALL BOOKSELLERS.

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